

2006 Bylaws of the Mental Health Planning Council of Virginia

Article I

Name

The name of the organization is the Mental Health Planning Council of Virginia. (hereinafter referred to as the Council). The Council was established in 1988, pursuant to Public Law 99-660 (1986), now amended to PL 102-321.

Article II

Mission

The mission of the Virginia Mental Health Planning Council is to advocate for a consumer-driven system of services and supports that promotes self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life including work, school, family and other meaningful relationships.

Article III

Objectives of the Mental Health Planning Council

- 1.** The Council shall serve as the primary, on-going forum for articulating and building a consensus among consumers, families and other advocates, state agencies, and mental health providers and planners which will insure a system of treatment, services and supports of high quality for children and adults with serious emotional disturbances and serious mental illnesses.
- 2.** The Council shall review annually all expenditures and budgets in the state system for mental health services to satisfy the federal mandate that monies spent do not conflict with the restrictions of the Federal mandate. This review includes the Federal Block Grant Application, the Mental Health Plan(s) of Virginia to be expressed in the Performance Partnership Plan. Additionally, the Council shall review all other plans which are developed by the state which will impact mental health consumers including, but is not limited to, the state's six year Comprehensive State Plan and the Community Services Performance Contract.
- 3.** The Council shall continuously monitor, evaluate and review the implementation of the State's Mental Health Plan including:
 - a.** the allocation, adequacy and quality of services to children with serious emotional and mental disorders and adults with serious mental illness,
 - b.** the congruence between existing services and the Commonwealth's stated values, priorities and goals, and,
 - c.** the plan's impact on improving the quality of life for Virginia's mental health consumers and their families.

- d. direct observation, visitation, and interviews by consumers, family members and advocates with regard to the programs, facilities, and human rights provisions of the state.
- 4. The Council shall make recommendations to the various departments and agencies serving or funding services for consumers and their families, including, but not limited to the Commissioner and the Board of the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Governor of the Commonwealth of Virginia.
- 5. The Council shall monitor the activities of and make recommendations to state Executive and Legislative Committees whose actions affect consumers and their families.

Article IV

Membership

- 1. Membership shall be in accordance with federal laws and regulations.
(*Handout A*)
- 2. State agency representatives are designated by their respective agency heads by virtue of the positions they hold. There are no term limits for these individuals.

Representatives of mental health advocacy organizations will be the Board Chair or Board designee. There are no term limits for these individuals.

- 3. All other terms of membership shall be for ~~three~~ four years from date of appointment with no member serving more than two successive terms.
- 4. Seats on the MHPC will be allotted as follows:
 - a. 12 seats are allotted to state agency representatives (Handout B)
 - b. **8** Seats are allotted to mental health service providers (Handout C)
 - c. **10** seats are allocated to designees of major mental health advocacy organizations, Councils and Boards (Handout D)
 - d. **12** seats allocated to adults with serious mental illnesses, as defined in state policy, who are receiving or have received mental health service, at least one of these seats to be filled by an individual under 25.
 - e. **10** seats are allocated to family members of children or youth with serious emotional disturbance, as defined in state policy
 - f. **6** seats are allocated to family members of adults with a serious mental illness, advocates and/or other interested persons
- 5. Any interested individual may seek appointment to the Council by submitting a completed membership application to the Membership Committee. The committee will evaluate the application based on its established policies and procedures and will make recommendations to the full MHPC. After

acceptance by vote of the MHPC at its regularly scheduled meeting, the President will send a letter of appointment, stating the terms of appointment

Article V

Governance

1. Officers

- a. The officers of the Council shall be the President, Vice Presidents for adult services and children's services, Secretary, and the immediate past president. A majority of the officers may not be state employees or providers of mental health services. Officers shall be elected for a one-year term. No officers may serve more than three successive terms in the same office.
- b. The officers shall be elected annually by majority vote of the Planning Council members at a stated meeting.
- c. In the absence of the President, a Vice President shall be the presiding officer.
- d. The Secretary shall be responsible for seeing that a true record of the meetings and actions of the Council is compiled, for attesting to those records, and for such correspondence and other duties as the Council shall devise.
- e. Officers may be removed by a majority of the Council for cause, subject to due process rights, including a bill of particulars, opportunity for mediation and the right to representation before the Council.

2. Powers Reserved

- a. The Council may review and approve the recommendations of the chair for appointments and special committees.
- b. The Council may fill any vacancy among the officers, and designate a Vice President who shall become President if the President becomes unable to fulfill his or her duties.
- c. The Council may establish and approve an annual budget for the operation of the Council.
- d. The Council may develop an official position of the Council for dissemination with regard to any issue or matter affecting consumers or their families.

Article VI

Standing Committees

1. Executive

This committee shall be responsible for coordinating the operations of the council. It shall comprise the President, the two Vice Presidents, Secretary, the immediate past president, and the chairpersons of all committees, standing and ad-hoc.

2. Bylaws and Policy

This committee shall continually review the bylaws and policy manual to offer recommendations and modifications to the Executive Committee and the full council with regard to the structure and functioning of the organization.

3. Membership and Training

This committee shall continually review the membership for compliance with federal law, evaluating full openness in participation in regard to race, creed or national origin, and geographical location, seek and recruit potential members, and report or make recommendations to the Executive Committee and the full council on all issues regarding membership.

This committee shall also develop and manage the training and education of all council members, especially new council members. This committee may also review and promote training and education offered in the state as to content and quality of training for those serving mental health consumers and their families.

4. Evaluation and Monitoring

This committee shall develop improved methods to continuously review all programs offered in the mental health system, to evaluate the effectiveness of data gathering, management, assessment and program review, for their effectiveness to consumers and their families, as well as to the program units. This committee shall report to the full council and cooperate with other committees.

5. Adult Services

This committee shall review existing services, recommend modifications to existing services, collaborate in the development of additional or new service models, while promoting best practices, cooperating with other committees, and reporting to the full council.

6. Child and Adolescent Services

This committee shall review existing services, recommend modifications to existing services, collaborate in the development of additional or new service models, while promoting best practices, cooperating with other committees and reporting to the full council.

7. Advocacy and System Reform

This committee shall advocate for the rights and needs of those with mental health concerns while continually obtaining input from the consumers, their families, and advocacy organizations. The committee shall make recommendations to the full council based on their findings.

8. Budget and Funding

This committee shall

- a. continually review and advise the council on expenditures and budgeting for mental health services through the DMHMRSAS and all other programs within the state. It shall alert the council with regard to matters of concern and make recommendations to improve the funding of mental health services. The Committee shall identify other financial resources. This committee shall report to the full council and other committees regularly.
- b. develop a spending plan for Council activities and monitor expenditures to assure successful implementation.

Article VII

Meetings

1. **Frequency.** The Council shall meet at its pleasure, according to a set schedule, and at least quarterly.
2. **Notice.** Notice of at least two weeks shall be provided for special meetings, and the business to be attended shall be included with notice.
3. **Quorum.** A quorum shall be fifty percent of the total membership and a majority of the consumer, family member, and advocate members.
4. **Conduct of the meeting.** Ordinarily, business shall be conducted as a committee of the whole, but the chair or any two members may require that substantive matters be considered under *Robert's Rules of Order, Newly Revised*.
5. **Conflict of Interest.** Members shall abstain from voting upon such matters in which they have a financial interest.
6. **Open Meetings.** The meetings of the Council shall be open, unless the work of the Council would be of a confidential nature at law which would preclude an open session.

Article VIII

Amendments

1. Amendments shall be proposed at least one month in advance.
2. Amendments shall be circulated to all members at least two weeks in advance by mail, supplemented by email or fax.

3. Amendments must be approved by a 3/5 vote of those present and eligible to vote.

Proposed by the *ad hoc* bylaws committee, chair – Mary Ann Beall, met 12/4/1999, revised by the MHPC on 12/14/99 for final approval, approved on January 25, 2000 with amendments @ Art. VII, § 3 and @ Art. VI, § 7, reflecting an agreement on 12/14/99. Approved 2/22/06 by full council vote.